

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**February 23, 2006 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:33 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Jay Ammon, Vice Chair
Grace Chewning
Gerald Ames
Bill Fahey
Stewart Fritz

Members Excused: None

Present & Sworn: Elfriede Arsenault, Respondent, 04-38-CEB
Christopher Qualmann, Respondent, 06-17-CEB
Eliza Drakes, Respondent, 05-76-CEB
Oscar Alburez, Respondent, 05-84-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Joann Tamulonis, Code Enforcement Officer, SCSO

Others Present: Daniel F. Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Clerk to the Code Enforcement Board
Pamela Taylor Code Enforcement Officer, SCSO

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IV Swearing in of Witnesses

None

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V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER TO APPROVE THE PUBLISHED AGENDA.

TOM HAGOOD – YES	JAY AMMON – YES
GRACE CHEWNING – YES	GERALD AMES - YES
BILL FAHEY – YES	STEWART FRITZ – YES
LARRY LAWVER – YES	

MOTION CARRIED 7 – 0.

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The following cases will not be heard today:

Everitt, Emerson & Frankie Merritt, 06-14-CEB, Complied Prior to Hearing
Herbert & Marjorine Felder, 06-15-CEB, Complied Prior to Hearing
Michael & Patricia Taylor, 05-29-CEB, Continued by Staff

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 23, 2006

Case No: 04-38-CEB
EDWARD & ELFRIEDE ARSENAULT
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000366

This is a repeat violation. The Board heard the original violation on June 24, 2004 and an Order was entered. Compliance on the original Order was obtained on August 26, 2004. An Affidavit of Repeat Violation was filed stating that the violation was being repeated as of January 20, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation of the Findings of Fact, Conclusions of Law and Order dated June 24, 2004 for **\$250.00**, for 10 days of non-compliance at \$25.00 per day from January 10, 2006 to and including January 19, 2006. Further, the daily fine shall be increased to **\$75.00 per day** if the violation is repeated past **February 23, 2006**. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport.
Location: 101 Lilac Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 14-21-29-507-0000-0200

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird further testified that the property is in compliance at this time.

Officer Hird stated that recommendation would be to enter an Order finding the Respondents in repeat violation and impose a fine in the amount of \$250.00 and, if the violation continues past February 23, 2006, the fine should be increased to \$75.00 per day.

Elfriede Arsenault, Respondent, was present at this hearing and testified on her own behalf. The Respondent advised the Board that she has had many medical problems and does not have the money to pay this fine. Mrs. Arsenault asked the Board to waive her fine at this time.

After discussion of this case by the Board:

FEBRUARY 23, 2006

**MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON
REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID # 14-21-29-507-0000-0200) located at 101 Lilac Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 20 SPRING GARDENS PB 15 PG 97

This case came on for public hearing before the Code Enforcement Board of Seminole County on June 24, 2004, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(l).

Said Order stated that a fine in the amount of \$25.00 per day would be imposed if the Respondents did not take certain corrective action by August 24, 2004. Compliance was obtained on August 25, 2004.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of January 10, 2006.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of January 20, 2006.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated June 24, 2004.

Therefore, the Board orders that the fine in the amount of \$250.00, for 10 days of non-compliance from January 10, 2006 through January 19, 2006 at \$25.00 per day, **be rescinded.**

It is further ordered that, if the violation is repeated past **February 23, 2006**, the daily fine shall be **increased to \$75.00 per day** and shall continue to accrue at **\$75.00 per day** until compliance is obtained.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 23rd day of February 2006, in Seminole County, Florida.

Gerald Ames asked the Respondent why she allowed the violation to reoccur.

The Respondent advised that with all the hurricanes and her medical issues, she had not been able to take care of this.

Mr. Ames asked who owns the vehicle that was in violation.

The Respondent advised that the vehicle belongs to her son.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
BILL FAHEY – YES
LARRY LAWVER – YES**

**JAY AMMON – YES
GERALD AMES - YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No: 05-76-CEB
HENRY DRAKES
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE000612

The Board heard this case on October 27, 2005 and an Order was entered giving Respondents a compliance date of January 2, 2006. An Affidavit of Non-Compliance was filed by the Code Officer indicating non-compliance on January 6, 2006. An Affidavit of Compliance was filed by the Code Officer indicating compliance on February 22, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order Finding Compliance and Imposing Fine/Lien constituting a **lien** for **\$2,500.00**, for 50 days of non-compliance at \$50.00 per day from January 3, 2006 to and including February 21, 2006. The Clerk shall record this Order in the Public Records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 23, 2006

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g) and (l)
Described as: 1) Accumulation of trash and debris
2) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
Location: 110 Spring Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-1300-0060

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence the Estimate of Costs incurred in this case. Officer Hird testified that the vehicle needed work done on it before it could be moved. Officer Hird stated that this property is in compliance at this time.

Officer Hird stated that the costs incurred in this case were \$167.00.

Eliza Drakes, wife of the deceased Respondent, was present at this hearing and testified on her own behalf. The Respondent made a request of the Board to waive the fine, as she is unable to pay due to the fact that she is disabled and does not have the money.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY JAY AMMON, THAT
THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:**

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 12-21-29-5BD-1300-0060) located at 110 Spring St., Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 6 BLK 13 SANLANDO
PB 3 PG 66

This case came on for public hearing before the Code Enforcement Board of Seminole County on October 27, 2005, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondent did not take certain corrective action by January 2, 2006.

The Code Enforcement Officer filed an Affidavit of Non-Compliance, dated January 7, 2006, which certifies under oath that the required action has not been obtained.

The Code Enforcement Officer filed an Affidavit of Compliance, dated January 22, 2006, which certifies under oath that the required action had been taken.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated October 27, 2005, the Board orders that the fine in the amount of **\$2,500.00**, for 50 days of non-compliance at \$50.00 per day from January 2, 2006 through and including February 21, 2006, **be reduced to \$20.00**.

It is further ordered that the Respondent shall have **thirty (30) days** in which to pay the reduced amount (\$20.00). If the Respondent does not pay this amount on or before **March 27, 2006**, the fine will revert to the original amount of **\$2,500.00** and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of February 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
BILL FAHEY – YES
LARRY LAWVER – NO**

**JAY AMMON – YES
GERALD AMES - YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No. 06-13-CEB
ROSA M. ROBINSON
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE001972

New Case

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 23, 2006

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3
(f)
Described as: 1) Unusable or abandoned appliance or other white goods
Location: 1071 Merritt St., Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-509-0000-0050

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird further testified that she inspected this property this morning and it is still in violation.

Officer Hird advised that she talked to the man who lives at this property and explained the violation to him and he said he would take care of it and get back to her. He never got back with her.

Officer Hird stated that the recommendation would be to comply by March 10, 2006, with a fine in the amount of \$50.00 per day if the violations continue or are repeated after March 10, 2006.

Rosa M. Robinson, Respondent, was not present at this hearing.

Jay Ammon asked Officer Hird if she felt that this violation constituted a public safety hazard due to the refrigerator being in the yard with the door still attached.

Officer Hird advised that she did believe it was a safety issue.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY GERALD AMES, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-13-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 18-21-30-509-0000-0050) located at 1071 Merritt St., Altamonte Springs, located in Seminole County and legally described as follows:

LOT 5 (LESS W 30 FT OF N 122 FT & S 64 FT)
& S 17.1 FT OF N 139.1 FT OF E 45 FT OF LOT 6

FROSTS ADD NO 2 TO ALTAMONTE

PB 1 PG 13

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(f).

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is further ordered that the Respondent correct the violation on or before **February 27, 2006**. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE THE UNUSABLE OR ABANDONED APPLIANCE OR OTHER WHITE GOODS.

If the Respondent does not comply with the Order, a fine of **\$50.00** will be imposed for each day the violation continues, or is repeated after compliance past **February 27, 2006**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of February 2006, in Seminole County, Florida.

Mr. Lawver asked Officer Hird if she knew if the refrigerator door had a lockable closure or a magnetic type of closure.

Officer Hird advised that she thought it was the regular magnetic kind.

Larry Lawver suggested to the Board that maybe they are over-reacting about the hazard of the refrigerator.

The Board stated that they did not want to take that chance.

TOM HAGOOD – YES	JAY AMMON – YES
GRACE CHEWNING – YES	GERALD AMES - YES
BILL FAHEY – YES	STEWART FRITZ – YES
LARRY LAWVER – YES	

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 23, 2006

Case No. 06-17-CEB
BARBARA B. & CHRIST QUALMANN
Code Enforcement Officer: Joann D. Tamulonis
Complaint No: 2005CE002231

New case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in
Section 95.3(o)
Described as: 1) Unsecured pool
Location: 421 Ruth St., Longwood (Commission District 3)
Tax Parcel ID # 08-21-29-506-0A00-0130

Joann Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis further testified that she inspected this property this morning and the pool remains unsecured.

Officer Tamulonis also testified that she spoke to one of the Respondent's older children and explained the violation to him. She further advised that, some time back, she also spoke directly to Mrs. Qualmann and Mrs. Qualmann advised her that the violation would be taken care of as soon as possible and that has not happened yet.

Officer Tamulonis stated that recommendation would be to comply by March 3, 2006, with a fine of \$250.00 per day if the violation remains or is repeated past March 3, 2006.

Christopher Qualmann, Respondent, was present at this hearing and testified on his own behalf. He advised the Board that, until he heard Officer Tamulonis' testimony today, he did not understand what "unsecured" meant.

The Respondent stated that his fence is old and now understands that it needs to be replaced. He advised that a storm took down several of the boards.

The Respondent requested that he be given until March 10 to comply.

Tom Hagood asked the Respondent if the pool had a screen enclosure.

The Respondent advised that it did not.

Gerald Ames asked the Respondent if he lived at this residence.

The Respondent advised that he did.

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Mr. Ames further asked how many children the Respondent has.

The Respondent advised that he had 4 children.

Mr. Ames asked Officer Tamulonis if she could estimate how long the gate has been open.

Officer Tamulonis advised that the gate was open each time she inspected the property.

Bill Fahey asked Officer Tamulonis if the gate had a spring closure.

Officer Tamulonis advised that she was not sure, but did know that whatever type of closure it had, it was not working. She further advised that it has not been working for quite some time and that the water in the pool was black.

MOTION by Grace Chewing, seconded by Stewart Fritz, to comply by March 10, 2006, with a fine of \$250.00 per day if the violation continues or is repeated past that date.

General discussion of this motion.

AMENDED MOTION by Bill Fahey, seconded by Gerald Ames, to comply by February 27, 2006, with a fine of \$250.00 per day if the violation continues or is repeated past that date.

Jay Ammon asked if the Respondent would be able to get some type of temporary closure on the pool by the 27th.

The Respondent advised the Board that he disagrees with Officer Tamulonis' implication that he is not keeping his family safe and advises that he will take the necessary steps to comply.

Tom Hagood asked Officer Tamulonis if she felt this violation constituted a health, safety concern.

Officer Tamulonis stated that she did.

General discussion of the type of temporary closure the Respondent could use, such as plastic fencing.

Officer Tamulonis advised the Board that the plastic fencing would not be an option for the Respondent.

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Dan Mantzaris, Attorney for the Board, advised the Board that they can only give the Respondent a date to comply by; they can not give him the solutions.

Bill Fahey advised the Respondent that this is just a "common sense" issue.

Larry Lawver explained to the Respondent why the Board felt that an unsecured pool was a serious issue.

The Respondent stated that he disagreed with the statements of the Board members and Officer Tamulonis.

**AMENDED MOTION BY BILL FAHEY, SECONDED BY GERALD AMES,
THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-17-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 08-21-29-506-0A00-0130) located at 421 Ruth St., Longwood, located in Seminole County and legally described as follows:
LEG LOT 13 & BEG SE COR LOT 12 RUN W 228.91 FT
N 3 FT N 86 DEG 55 MIN 53 SEC E 228.03 FT S 4 DEG
31 MIN E 15 FT TO BEG & BEG NE COR LOT 14 RUN
W 238 FT S 28 FT N 83 DEG 14 MIN 4 SEC E 239.93 FT
TO BEG BLK A WEST BRANTLEY LAKE ROAD HEIGHTS
PB 9 PG 2
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (o).

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is further ordered that the Respondents correct the violation on or before **February 27, 2006**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) SECURE THE POOL ACCORDING TO SEMINOLE COUNTY CODE REQUIREMENTS.**

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If the Respondents do not comply with this Order, a fine of **\$250.00** will be imposed for each day the violation continues, or is repeated after compliance past **February 27, 2006**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of February 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
BILL FAHEY – YES
LARRY LAWVER – YES**

**JAY AMMON – YES
GERALD AMES - YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No. 06-10-CEB
SAMUEL L. LEWIS
Code Enforcement Officer: Joann D. Tamulonis
Complaint No: 2005CE001858

New Case continued by Staff from January.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(n)
Described as: 1) Foul and/or stagnant water within a swimming pool
Location: 167 Ronnie Drive, Altamonte Springs (Commission District 3)
Tax Parcel ID # 15-21-29-502-0000-0620

Joann Tamulonis, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Tamulonis advised that this property is not in compliance at this time.

Officer Tamulonis further advised the Board that she spoke with the Respondent's wife in November and the Respondent's wife advised that her husband was working on the problem.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Officer Tamulonis advised that recommendation would be to comply by March 11, 2006, with a fine of \$250.00 per day if the violation continues or is repeated past March 11, 2006.

Samuel L. Lewis, Respondent, was not present at this hearing.

Bill Fahey asked Officer Tamulonis if this pool was secured.

Officer Tamulonis advised that it was.

Larry Lawver asked Officer Tamulonis to describe exactly what this violation is and Officer Tamulonis explained the violation to the Board.

Gerald Ames stated that this pool is a breeding ground for mosquitoes.

Officer Tamulonis advised that she did report it to the Health Department.

Stewart Fritz asked who complained about this violation.

Officer Tamulonis advised that a neighbor did.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-10-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 15-21-29-502-0000-0620) located at 167 Ronnie Dr., Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 62 GOLDIE MANOR 1ST ADD
PB 13 PG 89
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(n).

It is hereby ordered that the Respondent correct the violation on or before **March 11, 2006**. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE THE FOUL AND/OR STAGNANT WATER WITHIN A SWIMMING POOL.

If the Respondent does not comply with the Order, a fine of **\$250.00** will be imposed for each day the violation continues, or is repeated after compliance past **March 11, 2006**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of February 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
BILL FAHEY – YES
LARRY LAWVER – YES**

**JAY AMMON – YES
GERALD AMES - YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No. 05-84-CEB
ZOILA ALBUREZ
OSCAR ALBUREZ
GEORGINA ALBUREZ
Code Enforcement Officer: Dorothy Hird
Complaint No. 2005CE000607

This case was removed from the January 26, 2006 agenda by the Code Officer. The Board heard this case on October 27, 2005 and an Order was entered giving the Respondents a compliance date of November 11, 2005. An Affidavit of Compliance was filed by the Code Officer indicating compliance on February 2, 2006. This property is presently in compliance.

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RECOMMENDATION: The Board issue an Order Finding Compliance and Imposing Fine/Lien constituting a **lien** for **\$4,100.00**, for 82 days of non-compliance at \$50.00 per day from November 12, 2005 to and including February 1, 2006. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l)
Described as: 1) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
Location: 306 Lochmond Drive, Fern Park (Commission District 4)
Tax Parcel ID # 20-21-30-509-0000-041

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that this property is in compliance at this time. Officer Hird entered into evidence the Estimate of Costs incurred in this case.

Oscar Alburez, Respondent, was present at this hearing and testified on his own behalf. Mr. Alburez asked the Board to waive the fine, as he does not have the money to pay it.

MOTION by Bill Fahey, seconded by Grace Chewning, to reduce the fine to \$250.00 and require that it be paid within 10 days or the amount will revert to the original amount and become a lien.

Gerald Ames stated that he thought 10 days was not enough time to give the Respondent to pay.

The Respondent advised the Board that he is unemployed and could not pay that amount.

General discussion of motion.

AMENDED MOTION by Bill Fahey, seconded by Grace Chewning, to reduce the fine to \$250.00 and require that it be paid within 30 days or the amount will revert to the original amount and become a lien.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING THAT
THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:**

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 20-21-30-509-0000-0410) located at 306 Lochmond Drive, Fern Park, located in Seminole County and legally described as follows:

LEG LOT 41 HIGHLAND PINES UNIT 1
PB 14 PG 95

This case came on for public hearing before the Code Enforcement Board of Seminole County on October 27, 2005, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by November 11, 2005.

The Code Enforcement Officer filed an Affidavit of Non-Compliance, dated November 15, 2005, which certifies under oath that the required action had not been obtained.

The Code Enforcement Officer filed an Affidavit of Compliance, dated February 2, 2006, which certifies under oath that the required action has been obtained.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated October 27, 2005, the Board orders that the fine in the amount of **\$4,100.00**, for 82 days of non-compliance at \$50.00 per day from November 12, 2005 through and including February 1, 2006, **be reduced to \$150.00**.

It is further ordered that the Respondents shall have **thirty (30) days** in which to pay the reduced amount (\$150.00). If the Respondents do not pay this amount on or before **March 27, 2006**, the fine will revert to the original amount of **\$4,100.00** and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violations exists and upon any other real or personal property owned by the Respondents.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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DONE AND ORDERED this 23rd day of February 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
BILL FAHEY – YES
LARRY LAWVER – YES**

**JAY AMMON – YES
GERALD AMES - YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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VII Approval of the minutes from the meeting of January 26, 2006.

Mr. Lawver found an error in the minutes. Correction of this error to be made by the Clerk.

MOTION BY BILL FAHEY, SECONDED BY STEWART FRITZ, TO APPROVE THE AMENDED MINUTES FROM THE MEETING OF JANUARY 26, 2006.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
BILL FAHEY – YES
LARRY LAWVER – YES**

**JAY AMMON – YES
GERALD AMES – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

VIII Confirmation date of next meeting: March 23, 2006

IX Old Business – None

X New Business –

Election of 2006 Chair and Vice Chair –

The gavel was passed to the Clerk who opened the floor for nominations:

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, TO NOMINATE TOM HAGOOD AS CHAIRMAN OF THE CODE ENFORCEMENT BOARD.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 23, 2006

Having no additional nominations, the Clerk closed the floor for discussion. There being no further discussion, this vote passed unanimously.

The gavel was passed to Tom Hagood, Chair, who opened the floor for nominations for Vice Chair:

MOTION BY BILL FAHEY TO NOMINATE GRACE CHEWNING AS VICE CHAIR OF THE CODE ENFORCEMENT BOARD.

Mrs. Chewning thanked Mr. Fahey for the nomination but respectfully declined the nomination until she becomes a more experienced Board member.

MOTION BY JAY AMMON, SECONDED BY GRACE CHEWNING, TO NOMINATE BILL FAHEY AS VICE CHAIR.

Having no additional nominations, the Chair closed the floor for discussion. There being no further discussion, this vote passed unanimously.

Hugh Thomas Award –

Deborah Leigh, Senior Code Enforcement Officer, recognized Officer Joann Tamulonis who won the Hugh Thomas Award recently.

The Hugh Thomas Award is presented to an employee for excellence in the performance of duty, especially as it relates to neighborhood policing endeavors.

Officer Tamulonis coordinated the District 7 members, as well as rallied the support of the County Road and Storm Water Divisions, Citizens on Patrol, Explorers, Youth Deputies, and the community, to remove 45 tons of debris and 16 junked vehicles.

Bill Fahey stated that he lives in District 7 and noticed what a great job they did.

The entire Board thanked Officer Tamulonis for her hard work.

Officer Tamulonis brought a recent sign sweep conducted by Seminole County Code Enforcement Joint Task Force to the attention of the Board and recognized all the jurisdictions within Seminole County that participated in that event.

XI Adjourn – There being no further discussion, this meeting was adjourned at 2:30 P.M.

Respectfully submitted:

Connie R. DeVasto
Clerk to the Code Enforcement Board

Tom Hagood
Chair

02-23-06 minutes